REMARKS/ARGUMENTS

Brief Summary of Status

Claims 1-58 are pending in the application.

Claims 1, 2, 5, 10, 14-17, 20, 25, 27, 28, 32, 37-40, 48-50, 52, and 57 are rejected.

Claims 3, 5-9, 11-13, 18, 19, 21-24, 26, 29-31, 33-36, 41-47, 53-56, and 58 are objected to.

35 U.S.C. § 103

The Examiner asserts:

"3.   Claims 1, 2, 10, 16, 17, 25, 27, 39, 48, 50, 52 and 57 are rejected under 35 U.S.C. 103(a) as being unpatentable over Parry (7,149,529) in view of Plasson et al (6,795,688) hereafter Plasson." (non-final office action, Part of Paper No./Mail Date 20080206, p. 2)

The Examiner asserts:

"4.   Claims 14, 15, 37, 38 and 49 are rejected under 35 U.S.C. 103(a) as being unpatentable over Parry in view of Federal Communication Commission (FCC 02-48) here after FCC." (non-final office action, Part of Paper No./Mail Date 20080206, p. 10)

The Examiner asserts:

"5.   Claims 5, 20, 28 and 32 are rejected under 35 U.S.C.. 103(a) as being unpatentable over Parry in view of Plasson, in further view of Ganton (6,973,335)." (non-final office action, Part of Paper No./Mail Date 20080206, p. 11)

Allowable Subject Matter

The Examiner asserts:

"5.   Claims 3, 5, 6-9, 11, 12, 13, 18, 19, 21 -24, 26, 29-31, 33-36, 41 -47, 53-56 and 58 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims." (non-final office action, Part of Paper No./Mail Date 20080206, p. 12)

35 U.S.C. § 103

The Examiner asserts:

"3.   Claims 1, 2, 10, 16, 17, 25, 27, 39, 48, 50, 52 and 57 are rejected under 35 U.S.C. 103(a) as being unpatentable over Parry (7,149,529) in view of Plasson et al (6,795,688) hereafter Plasson." (non-final office action, Part of Paper No./Mail Date 20080206, p. 2)

The Applicant respectfully traverses.

The Applicant respectfully believes that the inclusion of Plasson does not overcome the deficiencies of Parry with respect to the independent claims rejected above.

The Examiner asserts:

"Parry disclose all the limitations of the claimed invention except wherein, based on the ranging of each DEVs of the plurality of DEVs, the PNC groups the plurality of DEVs into at least two groups and identifies a corresponding profile a for each group; and wherein the profile of each group governs the communication between the DEVs of that group and the PNC.

Plasson from the same or similar fields of endeavor teaches wherein, based on the ranging of each DEVs of the plurality of DEVs, the PNC groups the plurality of DEVs into at least two groups and identifies a corresponding profile for each group **(see column 14 lines 27-44, device within range and device mode is determined from multiple attributes);** and wherein the profile of each group governs the communication between the DEVs of that group and the PNC **(see Figure 3A, devices communicate with one another in a group).**

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify/implement group parameters of Plasson into the network of Parry by way of programming. The motivation to do so would be to control access security features." (non-final office action, Part of Paper No./Mail Date 20080206, p. 3-4, emphasis added)

The Examiner-cited portion of Plasson is provided below in which Plasson teaches and discloses:

"For example, as PAN 301 becomes mobile, at least one of the member devices linked via wireless communicative connection 380d to piconet 302, such as device 340

(FIGS. 3A and 3B), senses that, at the limit of the communicative medium's range (approximately 10 meters/30 feet for Bluetooth radio), or through some other limitation, connection 380d is severed, or a device known to be "outside," or known not to be "inside," PAN 301 is detected. In this example, the device discovers that it, with PAN 301 is mobile. Or for instance, as PAN 301 is moved to different locations, or if a device enters the range of PAN 301, at least one of the devices in PAN 301 attempts to determine its location using the address of the device that came within range in conjunction with the information in data structure 400. The information in data structure 400 can also be used to select the appropriate mode of operation associated with the device degree of mobility and/or location, and to implement the selected mode of operation according to the settings and attributes also cached in data structure 400." (Plasson, col. 14, lines 27-44, emphasis added)

The Applicant does not find any indication in this Examiner-cited portion of Plasson in which a PNC groups a plurality of DEVs into at least two groups and identifies a corresponding profile for each group in accordance with the subject matter as claimed by the Applicant.

This Examiner-cited portion of Plasson refers to when a device (e.g., "such as device 340 (FIGS. 3A and 3B)") moves or the "PAN 301 is moved to different locations, or if a device enters the range of PAN 301". Plasson seems to refer to a device either being in range of the PAN 301 or not within the range of the PAN 301 in this portion (e.g., "a device known to be "outside," or known not to be "inside," PAN 301" is detected). This dichotomy of being in the range of the PAN 301 or not within the range of the PAN 301 (or inside or outside of the PAN 301) is not the same as a PNC that groups a plurality of DEVs into at least two groups and identifies a corresponding profile for each group in accordance with the subject matter as claimed by the Applicant.

In Plasson, when a device is outside of range of the PAN 301, then communication with that device is severed (e.g., "at the limit of the communicative medium's range (approximately 10 meters/30 feet for Bluetooth radio), or through some other limitation, connection 380d is severed"). As such, if communication is severed, then no PNC can perform any ranging with that device, and as such, no PNC can then

group that device into at least two groups and identifies a corresponding profile for each group in accordance with the subject matter as claimed by the Applicant.

The Applicant respectfully points out that other portions of Plasson teach and disclose the manner by which the devices therein get configured for communication within their respective network.

The Applicant respectfully agrees that Plasson teaches and discloses using "group parameters" for multiple devices within a network (e.g., piconet). However, the Applicant respectfully believes that Plasson does not teach and disclose using a PNC, in accordance with the subject matter as claimed by the Applicant, to (1) group devices of a piconet into at least 2 groups and to (2) identify a corresponding profile for each group to govern communications between the devices of that group and the PNC.

Within a given piconet or PAN within Plasson, the Applicant respectfully believes that it seems that all of the devices therein operate in accordance with a particular, common mode of operation (e.g., at a relatively macro level and also in accordance with the "group parameters of Plasson" identified by the Examiner).

Then, once all of the devices are configured in accordance with this common configuration for supporting communication, then individualized configuration of a particular device (e.g., at a relatively micro level) is performed by that individual device (i.e., this individualized configuration is NOT performed by any PNC) and that being based on the "individual characteristics" of that particular device.

It is at this point (i.e., when a particular device is configures itself based on the "individual characteristics" of that particular device), that the "aggregate configuration state delineates the PAN 301 network configuration, accordingly." Again, it is noted that the individualized configuration of a particular device is performed by that particular device based on the "individual characteristics" of that particular device. As such, there in no PNC therein that performs distinct and separate configuration for various devices within the network.

For example, Plasson teaches and discloses:

"By periodic polling, the member devices of PAN 301 determine by their surrounding netscape that the netscape is in relative stasis, and thus, that the PAN 301 network is then presently non-motile. Correspondingly, the member devices assume a

configuration setting conforming to a relatively low degree of mobility. Further, the member devices of PAN 301 determine by their surrounding netscape that the netscape constitutes a particular known location. Correspondingly, the PAN 301 member devices assume a further configuration appropriate for that locale. In the situation just described, the typically mobile PAN 301 member devices achieve configurations substantially approximating the configurations of the typically less mobile member devices. As the individual PAN 301 member devices configure themselves based on their individual characteristics, their aggregate configuration state delineates the PAN 301 network configuration, accordingly." (Plasson, col. 10, line 56 to col. 11, line 5, emphasis added)

For another example, Plasson teaches and discloses:

"In the case wherein PAN 301 is in mobile transit, by periodic polling, the member devices determine by their surrounding netscape that the netscape is in flux, and thus, that the PAN 301 network is then presently mobile. This discovery may be made by a single PAN 301 member device, if the other member devices are in a power saving mode. "Discovering" device 390 by such polling (or alternatively, in response to device 390, itself polling), the PAN 301 network learns (or confirms) that it is (still) mobile. Correspondingly, the member devices assume uniform configuration settings conforming to a relatively high degree of mobility. Alternatively, the member devices of PAN 301 determine by their surrounding netscape that the netscape is again static, but, that ambient netscape constitutes a different particular location. Correspondingly, the member devices of PAN 301 assume a further configuration appropriate for that locale. As the individual PAN 301 member devices configure themselves based on their individual characteristics, their aggregate configuration state delineates the PAN 301 network configuration, accordingly.

With reference to FIGS. 3A and 3B, in accordance with the present embodiment of the present invention, a mode of operation for devices 310-340 in PAN 301 is dynamically selected, and the devices in PAN 301 configured accordingly, when device 390 is detected. Devices that are subsequently added to PAN 301, or member devices that are not connected but subsequently become connected, can also be configured accordingly (as they are added or connected)." (Plasson, col. 11, lines 28-48, emphasis added)

As such, the Applicant respectfully believes that it is clear that, based on a given characteristics (e.g., "mobility") of the member devices of a PAN 301, then all of the devices therein "assume uniform configuration settings". In other words, there appears to be a singular set of "uniform configuration settings" employed by all of the devices in that PAN 301.

As such, the Applicant respectfully believes that it is clear that there is a "a mode of operation for devices 310-340 in PAN 301" is employed in accordance with the teaching and disclosure of Plasson (e.g., note a singular "mode of operation" for all of the "devices 310-340 in PAN 301"). The Applicant respectfully points out that it appears that all of the "devices 310-340 in PAN 301" operates in accordance with a common "mode of operation". When new devices are added to the PAN 301, then they also are "configured accordingly (as they are added or connected)" in accordance with that singular "mode of operation".

The Applicant respectfully believes that it would appear similarly that the devices 350, 360 and 370 within piconet 302 similarly would operate in accordance with a singular "mode of operation".

The Applicant respectfully points out that although the devices within the PAN 301 and the piconet 302 may be able to communicate with each other, they are two separate and distinct networks and do not form a "piconet" in accordance with the subject matter as claimed by the Applicant.

For example, Plasson teaches and discloses:

"PAN 301 and piconet 302 can communicate using wireless connection 380d. Although wireless connection 380d is shown between devices 340 and 350, it is appreciated that each of the devices in PAN 301 and piconet 302 can be in communication with each other." (Plasson, col. 10, lines 40-45, emphasis added)

Even if the "PAN 301 and piconet 302 can communicate using wireless connection 380d", the Applicant respectfully points out that Plasson explicitly and pictorially shows two separate networks (i.e., "PAN 301 and piconet 302"), and the Applicant respectfully believes that these two separate entities do not form a "piconet" in accordance with the subject matter as claimed by the Applicant. Plasson teaches and

discloses two separate networks (i.e., "PAN 301 and piconet 302") that each may operate in accordance with a corresponding "mode of operation".

While the devices of a network in Plasson (e.g., in PAN 301) operate in accordance with a "uniform configuration settings" and in accordance with a singular "mode of operation" (e.g., "a mode of operation for devices 310-340 in PAN 301"), the Applicant respectfully points out that any individualized and distinct configuration of a device is made by that very same device (i.e., not by a PNC in accordance with the subject matter as claimed by the Applicant).

Plasson teaches and discloses: "As the individual PAN 301 member devices configure themselves based on their individual characteristics, their aggregate configuration state delineates the PAN 301 network configuration, accordingly.", as cited also above.

The Applicant respectfully points out that there is no PNC in Plasson that configures these "member devices ... based on their individual characteristics". In contradistinction, "the individual PAN 301 member devices configure themselves based on their individual characteristics". In other words, in FIG. 3A of Plasson, device 310 would configure itself based on its "individual characteristics", device 320 would configure itself based on its "individual characteristics", and so on.

While both the device 310 and the device 320 would initially "assume uniform configuration settings", each of the device 310 and the device 320 would then undergo individualized configuration (i.e., as performed by itself based on its "individual characteristics"), and at that point "their aggregate configuration state delineates the PAN 301 network configuration".

The Applicant respectfully points out that there are also other portions of Plasson which shows an initial configuration (e.g., at a macro level) as being the same for all devices in the network.

Plasson teaches and discloses:

"In accordance with the present embodiment of the present invention, the mode of operation implemented in PAN 301 is selected based on information learned by detecting device 390 regarding the relative degree of mobility of PAN 301, its location, and/or some other characteristics. For example, if PAN 301 senses that it is mobile, with a

correspondingly high degree of mobility, and/or some other characteristics, then devices 310-340 can be configured according to a mode of operation that is selected based on those characteristics. If the degree of mobility of PAN 301 is high, then <u>devices 310-340 can be configured according to a default mode of operation</u> for a high degree of mobility. The different configurations are defined in advance so that they can be applied dynamically across the personal area network PAN 301, either automatically or manually. <u>Once one of the devices in the personal area network PAN 301 is appropriately configured, the configuration is propagated to the other devices in the network</u>." (Plasson, col. 12, lines 9-25, <u>emphasis added</u>)

The Applicant respectfully believes that, while various considerations (e.g., "<u>the relative degree of mobility of PAN 301, its location, and/or some other characteristics</u>") may be employed to select "<u>the mode of operation implemented in PAN 301</u>", there is nonetheless one "<u>mode of operation implemented in PAN 301</u>".

Moreover, one a singular "<u>one of the devices in the personal area network PAN 301 is appropriately configured</u>" to operate in accordance with this singular "<u>mode of operation</u>", then the other devices in the PAN 301 are similarly configured to use the very same "<u>mode of operation</u>" (i.e., "<u>the configuration is propagated to the other devices in the network</u>" as cited above).

As such, the Applicant respectfully believes that Plasson does not the subject matter as asserted bi the Applicant of the following: (Plasson from the same or similar fields of endeavor teaches wherein, based on the ranging of each DEVs of the plurality of DEVs, <u>the PNC groups the plurality of DEVs into at least two groups and identifies a corresponding profile for each group</u> **(see column 14 lines 27-44, device within range and device mode is determined from multiple attributes);** <u>and wherein the profile of each group governs the communication between the DEVs of that group and the PNC</u> **(see Figure 3A, devices communicate with one another in a group)**).

The Applicant respectfully believes that all of the devices within any network (e.g., whether PAN 301 or piconet 302) operate in accordance with a singular "<u>mode of operation</u>", and the only variation in the manner of configuration of any of these devices therein is performed by that very device (e.g., not by any PNC in accordance with the subject matter as claimed by the Applicant).

In other words, there appears to be a macro-level configuration by which communications are governed within a network of Plasson (e.g., within the PAN 301 or piconet 302) and that being employing the same (e.g., "mode of operation", "the member devices assume a configuration setting", "Once one of the devices in the personal area network PAN 301 is appropriately configured, the configuration is propagated to the other devices in the network", etc.).

Then, once the macro-level configuration of all of the devices within the network is performed, then the individual devices in that network perform individualized self-adjustment on a relatively micro-level (i.e., which is not performed by any PNC in accordance with the subject matter as claimed by the Applicant) as can be seen in various locations of Plasson (e.g., As the individual PAN 301 member devices configure themselves based on their individual characteristics, their aggregate configuration state delineates the PAN 301 network configuration, accordingly).

The Applicant respectfully points out that there does not appear to be any two groups within Plasson, of devices within a piconet, for which a PNC groups the plurality of DEVs into at least two groups and identifies a corresponding profile for each group; and the profile of each group governs the communication between the DEVs of that group and the PNC.

If a "mode of operation" of the PAN 301 in Plasson is viewed as being a profile, then the Applicant respectfully believes that it is clear that all of the devices in a network of Plasson employ that same "mode of operation" (i.e., there are not 2 groups using 2 different "mode of operation").

If the "based on their individual characteristics" of the individual devices of the PAN 301 in Plasson is viewed as being a number of different profiles, then the Applicant respectfully points out that this individualized configuration is not identified by any PNC within Plasson, but by the very device of the PAN 301 in Plasson itself. In other words, the Applicant also respectfully points out that any individualized configuration of a particular device in Plaason is performed by that particular device, and not by any PNC in accordance with the subject matter as claimed by the Applicant.

As such, the Applicant respectfully believes that the inclusion of Plasson with Parry does not overcome the deficiencies of Parry.

The Applicant respectfully asserts that Parry, and Plasson, when considered individually or together, fails to teach and disclose the subject matter as claimed by the Applicant in these claims.

In view of at least these comments made above, the Applicant respectfully believes that these independent claims rejected above are patentable over Parry in view of Plasson.

The Applicant respectfully believes that these dependent claims rejected above, being further limitations of the subject matter as claimed in allowable independent claims, respectively, are also allowable.

As such, the Applicant respectfully requests that the Examiner withdraw the rejection of these claims under 35 U.S.C. § 103(a) as being unpatentable over Parry in view of Parry.

The Examiner asserts:

"4.   Claims 14, 15, 37, 38 and 49 are rejected under 35 U.S.C. 103(a) as being unpatentable over Parry in view of Federal Communication Commission (FCC 02-48) here after FCC." (non-final office action, Part of Paper No./Mail Date 20080206, p. 10)

The Applicant respectfully traverses.

The Applicant respectfully believes that inclusion of FCC does not overcome the deficiencies of Parry.

The Applicant respectfully asserts that Parry, and FCC, when considered individually or together, fails to teach and disclose the subject matter as claimed by the Applicant in these claims.

Moreover, the Applicant respectfully believes that independent claims 1, 27, and 39 are allowable over Parry in view of FCC.

The Applicant respectfully believes that these dependent claims rejected above, being further limitations of the subject matter as claimed in allowable independent claims, respectively, are also allowable.

As such, the Applicant respectfully requests that the Examiner withdraw the rejection of these claims under 35 U.S.C. § 103(a) as being unpatentable over Parry in view of FCC.

The Examiner asserts:

"5.   Claims 5, 20, 28 and 32 are rejected under 35 U.S.C.. 103(a) as being unpatentable over Parry in view of Plasson, in further view of Ganton (6,973,335)." (non-final office action, Part of Paper No./Mail Date 20080206, p. 11)

The Applicant respectfully traverses.

The Applicant respectfully believes that inclusion of Ganton does not overcome the deficiencies of Parry in view of Plasson.

The Applicant respectfully asserts that Parry, Plasson, and Ganton, when considered individually or together, fails to teach and disclose the subject matter as claimed by the Applicant in these claims.

Moreover, the Applicant respectfully believes that independent claims 1 and 27are allowable over Parry in view of Plasson, and further in view of Ganton.

The Applicant respectfully believes that these dependent claims rejected above, being further limitations of the subject matter as claimed in allowable independent claims, respectively, are also allowable.

In view of at least these comments made above, the Applicant respectfully believes that these independent claims rejected above are patentable over Parry in view of Plasson.

The Applicant respectfully believes that these dependent claims rejected above, being further limitations of the subject matter as claimed in allowable independent claims, respectively, are also allowable.

As such, the Applicant respectfully requests that the Examiner withdraw the rejection of these claims under 35 U.S.C. § 103(a) as being unpatentable over Parry in view of Plasson, in further view of Ganton.

Allowable Subject Matter

The Examiner asserts:

"5.   Claims 3, 5, 6-9, 11, 12, 13, 18, 19, 21 -24, 26, 29-31, 33-36, 41 -47, 53-56 and 58 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base

claim and any intervening claims." (non-final office action, Part of Paper No./Mail Date 20080206, p. 12)

The Applicant respectfully agrees that the subject matter of these claims is allowable.

However, the Applicant respectfully traverses the objections to these claims.

In view of at least the comments submitted herewith, the Applicant respectfully believes that independent claims 1, 16, 27, 39, and 50 are allowable.

The Applicant respectfully believes that these dependent claims objected to above, being further limitations of the subject matter as claimed in allowable independent claims, are also allowable.

As such, the Applicant respectfully requests that the Examiner withdraw the objections to these claims.

The Applicant respectfully believes that claims 1-58 are in condition for allowance and respectfully requests that they be passed to allowance.

The Examiner is invited to contact the undersigned by telephone or facsimile if the Examiner believes that such a communication would advance the prosecution of the present U.S. utility patent application.

RESPECTFULLY SUBMITTED,

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